



U.S. Appl. No. 09/529,053

Dr. Atwood states that his experience and education permit him to be familiar with what one of ordinary skill in the art would have understood upon reading the application at its March 11, 1998 priority date. He states that one of ordinary skill in the art at the time would have understood that it is the leflunomide product, not the pyrimidine compound, that would have anti-viral activity. He further states that pyrimidine compounds which supply the naturally occurring nucleotides uridine, cytidine and thymidine would not be expected to have an anti-viral effect. He therefore concludes that the pyrimidine compounds to be co-administered with leflunomide product were not intended to have antiviral activity because (a) the stated purpose of the pyrimidine compound was to reduce toxicity of the leflunomide product, not for an anti-viral effect, and (b) the definition of pyrimidine compound excludes pyrimidine compounds with anti-viral activity.

For these reasons, Dr. Atwood's declaration provides evidence, which must be considered by the Examiner, that one of ordinary skill in the art at the time would have understood that the inventors were claiming the administration of pyrimidine compounds without antiviral activity as recited in unamended claim 34 (or new claim 45).

If the Examiner believes that a telephonic interview would expedite prosecution, the Examiner is encouraged to contact the undersigned.

No additional fees are believed to be necessary in connection with the present submission. However, the Commissioner is hereby authorized to charge any fees due or deficiency in the fees submitted to our Deposit Account No. 13-2855, under Order No. 28385/35415.

Respectfully submitted,

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